



WEB COPY



WP No. 41403 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 41403 of 2025
& WMP.No.46365 of 2025**

C.Ramaiah
S/o.Venkaiah, No.15/6 Balaraman
Street, Thiru.Vi.Ka. Nagar,
Chennai-82.

Petitioner(s)

Vs

1.The Asst. Engineer
TNEB, Red Hills Bye- Pass Road,
Red Hills, Chennai- 52.

2.Venkatesan
S/o.Natarajan Chettiar 1/203,
Bajanai Koil Street, Attanthangal,
Chennai – 600 067.

Respondent(s)

PRAYER

This Writ Petition has been filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, calling for the record pertaining to the impugned Letter issued by the 1st Respondent bearing No.Ka.En:-Oo.Po/ E & Pa/ Padiyaallur/Ko.Thani/En.16/ 25.Naal.28-02-2025 and quash the same.

For Petitioner(s): Mr.K.Nagarajan

For Respondent(s): Mr.L.Jaivenkatesh



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ORDER

This Writ Petition has been filed to call for the record pertaining to the impugned Letter issued by the 1st Respondent bearing No.Ka.En:- Oo.Po/ E & Pa/ Padiyaallur/Ko.Thani/En.16/ 25.Naal.28-02-2025 and to quash the same.

2.The case of the petitioner is that he is the owner of the property comprised in Survey No.74/6 Padiyanallur Ponneri Taluk and that the second respondent vide application dated 20.10.2023 in Application Ref No.2000945510231188 sought for electricity connection to the said property and hence, the petitioner made an objection dated 06.01.2024, not to give electricity connection in favour of the second respondent. However, not considering the same, the first respondent has passed the impugned order granting electricity connection to the second respondent. Hence, the present Writ Petition.

3.The learned counsel for the petitioner would submit that the second respondent had earlier filed a suit in O.S.No.237 of 2000 on the file of the District Munsif Court, Ponneri against the petitioner and one Raghupathy for declaration and permanent injunction from interfering



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with the second respondent's/plaintiff's possession and enjoyment of the property in Sy.No.74/6 at Padianallur Village, Ponneri Taluk and the said suit was decreed on 29.04.2008 and as against the same, the petitioner preferred an appeal in A.S.No.21 of 2011 before the Sub Court, Ponneri, however, the same was dismissed. The petitioner thereafter, has preferred a Second Appeal in S.A.No.631 of 2021 against the order of dismissal before this Court and the same is pending. Pending Second Appeal, the first respondent has passed the impugned order granting electricity connection to the second respondent, which is not a sustainable one and prays for appropriate orders.

4.Per contra, the learned counsel for the first respondent/TANGEDCO would submit that in the absence of any interim or restrain order, the first respondent has no legal impediment to provide electricity connection to the second respondent and further, if the petitioner succeeds in the Second Appeal pending before this Court, the electricity connection given to the second respondent will be disconnected and hence, prays for dismissal of the present Writ Petition.

5.Heard the learned counsel for the petitioner and the learned counsel for the first respondent and perused the materials available on



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record.

6.Since no adverse order is passed against the second respondent, notice to the second respondent is dispensed with.

7.Considering the facts and circumstances of the case, the Writ Petition is dismissed, with liberty to the petitioner to work out his remedy in the pending second appeal. If the petitioner succeeds in the Second Appeal, the petitioner is at liberty to file an application before the first respondent to disconnect the electricity connection granted to the second respondent. No costs. Consequently, the connected miscellaneous petition is closed.

05-11-2025

Tsg
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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To

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TNEB, Red Hills Bye- Pass Road,
Red Hills, Chennai- 52.

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M.DHANDAPANI J.
Tsg

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